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**Federal Communications Commission**

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**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Sunshine Communications Corporation	)	File No. EB-03-PA-077
Licensee of Radio Station WPNQ622	)	
Philadelphia, Pennsylvania	)	NOV No. V20033240001
	)	
Attention: Jack Hinks	)	

**NOTICE OF VIOLATION**

**Released: August 19, 2003**

By the District Direction, Philadelphia Office, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules,<sup>1</sup> to Sunshine Communications Corporation ("Sunshine"), the licensee of radio station WPNQ622.

2. On July 1, 2003 and July 2, 2003, an agent of the Commission's Philadelphia Office inspected the radio transmitting equipment located at 7200 Stenton Avenue, Philadelphia, Pennsylvania and observed the following violations:

a. 47 C.F.R. § 90.187(a): "Applicants for trunk systems operating on frequencies between 150 and 512 MHz must indicate on their applications that their system will be trunked. Licensees of stations that are not trunked may trunk their systems only after modifying their license." Sunshine was operating a trunking system on the frequencies 152.285 MHz, 151.5425 MHz, 153.0725 MHz, 153.665 MHz and 151.985 MHz without authorization.

b. 47 C.F.R. § 90.187(f): "If a licensee authorized for trunking operation discontinues trunking operations for a period of 30 consecutive days, the licensee, within 7 days of the expiration of said 30-day period shall file a conforming application for modification of license with the Commission. Upon grant of that application, new applicants may file for the same channel or channels notwithstanding the interference contour of the new applicant's proposed channel or channels overlaps the service contour of the station that was previously engaged in trunking operations." Although Sunshine has not operated its trunking station WPNQ622 at Port Royal Avenue and Hageys Mill

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<sup>1</sup> 47 C.F.R. § 1.89.

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Road, Philadelphia, Pennsylvania since 2002, Sunshine never modified the license to remove such authorization.

Pursuant to Section 308(b) of the Communications Act of 1934, as amended,<sup>2</sup> and Section 1.89 of the Commission's Rules, Sunshine Communications Corporation, must submit a written statement concerning this matter within 20 days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by a principal or officer of the licensee with personal knowledge of the matter. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission  
Philadelphia Office  
One Oxford Valley Building, Suite 404  
2300 East Lincoln Highway  
Langhorne, Pennsylvania 19047

3. This Notice shall be sent to Sunshine Communications Corporation, 207 Old Mill Road, Royersford, Pennsylvania 19468.

4. The Privacy Act of 1974<sup>3</sup> requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.<sup>4</sup>

FEDERAL COMMUNICATIONS COMMISSION

John E. Rahtes  
District Director  
Philadelphia Office

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<sup>2</sup> 47 U.S.C. § 308(b).

<sup>3</sup> P.L. 93-579, 5 U.S.C. § 552a(e)(3).

<sup>4</sup> 18 U.S.C. § 1001 *et seq.*